THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES 1934

FEDERAL REGISTER

VOLUME 13 NUMBER 223

Washington, Tuesday, November 16, 1948

TITLE 3—THE PRESIDENT

PROCLAMATION 2823

THANKSGIVING DAY, 1948

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

As the traditional day of thanksgiving approaches, our thoughts incline, as in previous years, to the richness of our blessings. The spiritual endowments of our country are undiminished; we may, as always, walk as free men unafraid. Our harvests have been bountiful, our production of goods abundant. Our resources have permitted us to aid the needy and helpless of other lands.

We are privileged to participate in international efforts to advance human welfare. We are profoundly grateful for the existence of an international forum where differences among nations may be submitted to world opinion with a view to harmonious adjustment.

We pray this year not only in the spirit of thanksgiving but also as suppliants for wisdom in our approach to the problems confronting this Nation. Believing in the dignity of man and his right to live in freedom and peace, we ask divine guidance in helping to safeguard these gifts for ourselves and other peoples of the earth.

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, in consonance with the joint resolution of Congress approved December 26, 1941, designating the fourth Thursday of November in each year as Thanksgiving Day, do hereby proclaim Thursday, November 25, 1948, as a day of national thanksgiving; and I call upon our citizens to observe that day by giving thanks to Almighty God for the bounties which have been bestowed upon our Nation and by resolving to render generous assistance to the hungry and homeless in other lands, thus renewing our devotion to the cause of good-will among men.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 12th day of November in the year of our Lord nineteen hundred and [SEAL] forty-eight, and of the Independence of the United States of America the one hundred and seventy-third.

HARRY S. TRUMAN

By the President:

ROBERT A. LOVETT,
Acting Secretary of State.

[F. R. Doc. 48-10037; Filed, Nov. 15, 1948; 11:29 a. m.]

EXECUTIVE ORDER 10016

COAT OF ARMS, SEAL, AND FLAG OF THE VICE PRESIDENT OF THE UNITED STATES

By virtue of the authority vested in me as President of the United States, it is hereby ordered as follows:

The Coat of Arms of the Vice President of the United States shall be of the following design:

SHIELD: Paleways of thirteen pieces argent and gules, a chief azure; upon the breast of an American eagle with wings displayed and inverted holding in his dexter talon an olive branch all proper and in his sinister an arrow or, in his beak a yellow scroll inscribed "E PLURIBUS UNUM" sable.

The whole surrounded by thirteen blue stars in the form of an annulet with one point of each star outward on the imaginary radiating center lines.

The Seal of the Vice President of the United States shall consist of the Coat of Arms encircled by the words "Vice President of the United States."

The Color and Flag of the Vice President of the United States shall consist of a white rectangular background of sizes and proportions to conform to military and naval custom, on which shall appear the Coat of Arms of the Vice President in proper colors. The proportion of the elements of the Coat of Arms shall be in direct relation to the hoist, and the fly shall vary according to the customs of the military and naval services.

The Coat of Arms, Seal, and Color and Flag shall be as described herein and as set forth in the illustrations and specifications which accompany this order and which are hereby made a part thereof.

These designs shall be used to represent the Vice President of the United States exclusively.

Executive Order No. 7285 of February 7, 1936, prescribing the official flag of the

(Continued on next page)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Vice President of the United States, is hereby revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 10, 1948.

THE VICE PRESIDENT'S FLAG

SPECIFICATIONS

Flag base—white.
Stars—blue.
Shield:
- Chief—blue.
- Stripes—white and red.

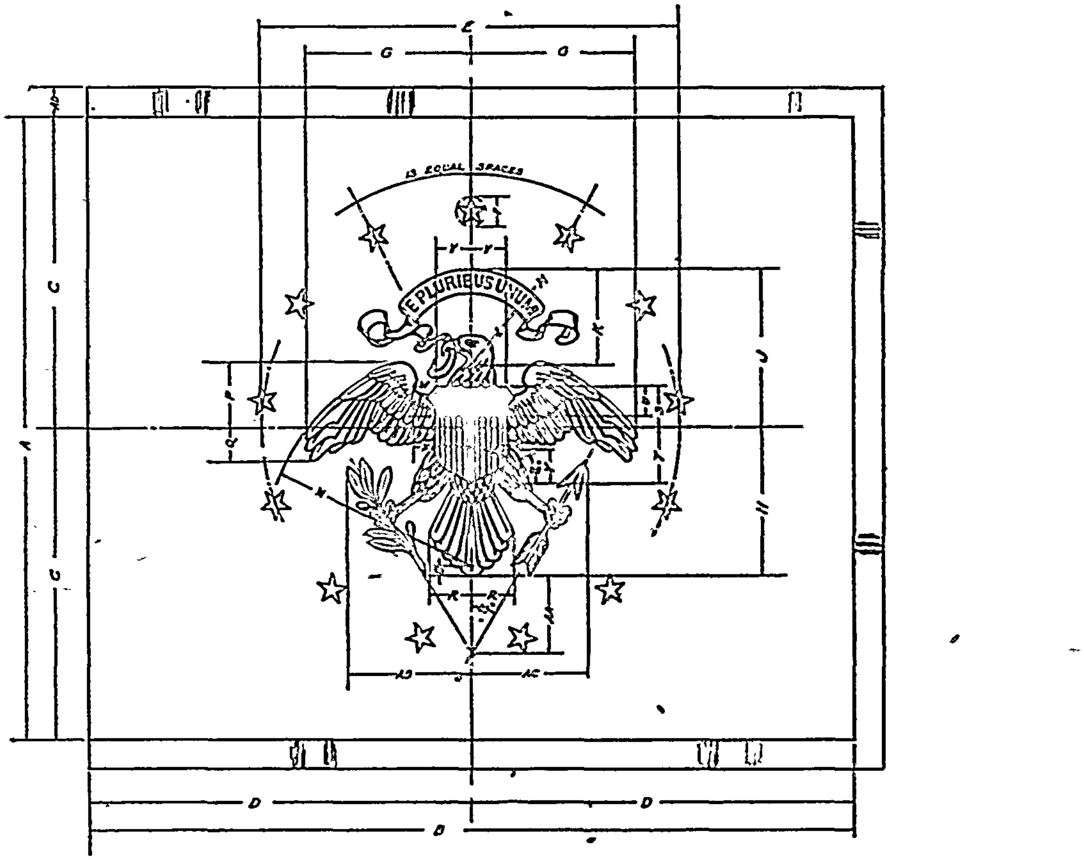
Eagle:
- Wings, body, upper legs—shades of brown.
- Head, neck, tail—white, shaded gray.
- Beak, feet, lower legs—yellow.
- Talons—dark gray, white high lights.
- Arrow—yellow.
- Olive branch:
  - Leaves, stem—shades of green.
  - Olives—light green.
- Scroll—yellow with brown shadows.
- Letters—black.

Device to appear on both sides of flag but will appear reversed on reverse side of flag, except that the motto shall read from left to right on both sides.

									A	B	C	D	E	F	G	H	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD		
1																																							
2																																							
3	COLOR								[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	10"	[illegible]		
4																																							
5																																							

RELATIVE PROPORTIONS OF DESIGN TO HOIST OF FLAG

DIMENSIONS OF DESIGN	A (HOIST)	B	C	D	E	F	G	H	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD
RELATIVE DIMENSIONS	1.		.5		.42231	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	



[F. R. Doc. 48-10021; Filed, Nov. 12, 1948; 4:50 p. m.]

EXECUTIVE ORDER 10017

AMENDMENT OF THE REGULATIONS GOVERNING THE APPOINTMENT OF POSTMASTERS OF THE FOURTH CLASS

WHEREAS under the regulations now in force the appointment of postmasters of the fourth class may be made upon the basis of investigation and report of a post office inspector in any case in which the compensation of the office is not in excess of $1000 per annum; and

WHEREAS it is deemed desirable and in the public interest that the said limitation of $1000 be raised to $1300:

NOW THEREFORE, by virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403) and section 1753 of the Revised Statutes (5 U. S. C. 631) and for the purpose of carrying out the objective aforesaid, the regulations prescribed or approved by the President governing the appointment of postmasters of the fourth class are hereby amended by substituting "$1300" for "$1000" wherever the latter sum appears in the regulations.

This order supersedes Executive Order No. 9769 of August 14, 1946, entitled "Amendment of the Regulations Governing the Appointment of Postmasters of the Fourth Class."

HARRY S. TRUMAN

THE WHITE HOUSE,
November 10, 1948.

[F. R. Doc. 48-10034; Filed, Nov. 15, 1948; 11:15 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

REARRANGEMENT OF TEXT AND RENUMBERING OF SECTIONS

For the purpose of effecting a more logical arrangement of subject matter and a more consistent system of numbering, Title 7, Subtitle A, Part 1, of the Code of Federal Regulations is renumbered as follows:

SUBPART A—OFFICIAL RECORDS

Sec.
1.1 Availability of information and records.
1.2 Confidential records.
1.3 Records of limited availability.
1.4 Records in adjudications and formal rule-making proceedings.
1.5 Records available to properly interested persons.
1.6 Other information.
1.7 Application for examination or copy of records.
1.8 Authenticated copies.
1.9 Denial of access to record.
1.10 Compulsory process.

SUBPART B—DEPARTMENTAL PROCEEDINGS

1.26 Representation in Departmental Proceedings.

The following redesignations are made:

Old Sec. No.	New Sec. No. Subpart A—Official Records
2100.3 of Chapter XXI, Part 2100	1.1
2100.3 (a) of Chapter XXI, Part 2100	1.2
2100.3 (b) of Chapter XXI, Part 2100	1.3
2100.3 (c) of Chapter XXI, Part 2100	1.4
2100.3 (d) of Chapter XXI, Part 2100	1.5
2100.3 (e) of Chapter XXI, Part 2100	1.6
2100.3 (f) of Chapter XXI, Part 2100	1.7
2100.3 (g) of Chapter XXI, Part 2100	1.8
2100.3 (h) of Chapter XXI, Part 2100	1.9
2100.3 (i) of Chapter XXI, Part 2100	1.10
Subpart B—Departmental Proceedings	
1.1579 of Subtitle A, Part 1	1.26
2100.12 of Chapter XXI, Part 2100	1.27
2100.13 of Chapter XXI, Part 2100	1.28
Subpart C—Claims	
2100.11 (a) of Chapter XXI, Part 2100	1.51
2100.11 (b) of Chapter XXI, Part 2100	1.52

Dated: November 10, 1948

[SEAL] W A. MINOR,
Assistant to the Secretary.

[F. R. Doc. 48-9987; Filed, Nov. 15, 1948; 8:56 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 726—FIRE-CURED AND DARK AIR-CURED TOBACCO

PROCLAMATION OF NATIONAL MARKETING QUOTAS FOR 1949–50 MARKETING YEAR AND APPORTIONMENTS OF NATIONAL MARKETING QUOTAS AMONG SEVERAL STATES

AUTHORITY: §§ 726.1 to 726.5 issued under 52 Stat. 40, 41, 42, 43, 46, 47, 202; 53 Stat. 1261; 54 Stat. 392; 56 Stat. 121; 7 U. S. C. 1301 (b), 1301 (c), 1312; 1313 (a), 1313 (c); 1313 (g).

§ 726.1 *Basis and purpose.* Sections 726.1 to 726.5 are issued (1) to announce the reserve supply and the total supply of fire-cured and dark air-cured tobacco for the marketing year beginning October 1, 1948; (2) to establish the national marketing quotas for fire-cured and dark air-cured tobacco for the marketing year beginning October 1, 1949; and (3) to apportion the national marketing quotas among the several States. The Agricultural Adjustment Act of 1938, as amended, provides that whenever the Secretary finds that the total supply of tobacco as of the beginning of the marketing year then current exceeds the reserve supply level therefor, the Secretary shall proclaim not later than December 1, the amount of such total supply and also determine and specify in such proclamation the amount of the national marketing quota in terms of the total quantity of tobacco which may be marketed which will make available during the marketing year a supply of tobacco equal to the reserve supply level. The findings and determinations contained in §§ 726.2 to 726.5 have been made on the basis of the latest available statistics of the Federal Government and after due consideration of the views, data, and recommendations received from fire-cured and dark air-cured tobacco producers and others, including views, data, and recommendations presented at a public hearing held in Hopkinsville, Kentucky, on October 14, 1948 (13 F. R. 5681) in accordance with the Administrative Procedure Act (60 Stat. 237)

§ 726.2 *Findings and determinations with respect to the national marketing quota for fire-cured tobacco for the marketing year beginning October 1, 1949* [1]—(a) *Reserve supply level.* The reserve supply level for fire-cured tobacco is 209,500,000 pounds calculated as provided in the act from a normal year's domestic consumption of 47,100,000 pounds and a normal year's exports of 42,400,000 pounds.

(b) *Total supply.* The total supply of fire-cured tobacco as of the beginning of the marketing year for such tobacco beginning October 1, 1948, is 231,600,000 pounds consisting of carry-over of 162,500,000 pounds and estimated 1948 production of 69,100,000 pounds.

(c) *National marketing quota.* The amount of fire-cured tobacco which will make available during the marketing year beginning October 1, 1949, a supply of fire-cured tobacco equal to the reserve supply level of such tobacco is 56,900,000 pounds and a national marketing quota of such amount is hereby proclaimed. It is determined, however, that a national marketing quota in the amount of 56,900,000 pounds would result in undue restriction of marketings during the 1949–50 marketing year and such amount is hereby increased by 20 percent. Therefore, the amount of the national marketing quota for fire-cured tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1949, is 68,300,000 pounds.

§ 726.3 *Apportionment of the national marketing quota for fire-cured tobacco for the 1949–50 marketing year among the several States.* The national marketing quota proclaimed in § 726.2 is hereby apportioned among the several States pursuant to section 313 (a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313 (g) of the act as follows:

State:	Acreage allotment
Kentucky	35,865
Tennessee	26,736
Virginia	13,296
Illinois	6
Reserve [1]	327
Total	65,330

[1] Acreage reserve for establishing allotments for farms upon which no fire-cured tobacco has been grown during the past five years.

§ 726.4 *Findings and determinations with respect to the national marketing quota for dark air-cured tobacco for the marketing year beginning October 1, 1949* [1]—(a) *Reserve supply level.* The reserve supply level for dark air-cured tobacco is 95,200,000 pounds calculated as provided in the Act from a normal year's domestic consumption of 28,100,000 pounds and a normal year's exports of 8,100,000 pounds.

(b) *Total supply.* The total supply of dark air-cured tobacco as of the beginning of the marketing year for such tobacco beginning October 1, 1948, is 104,500,000 pounds consisting of carry-over of 73,900,000 pounds and estimated 1948 production of 30,600,000 pounds.

(c) *National marketing quota.* The amount of dark air-cured tobacco which will make available during the marketing year beginning October 1, 1949, a supply of dark air-cured tobacco equal to the reserve supply level of such tobacco is 27,700,000 pounds and a national marketing quota of such amount is hereby proclaimed. It is determined, however, that a national marketing quota in the amount of 27,700,000 pounds would result in undue restriction of marketings during the 1949–50 marketing year and such amount is hereby increased by twenty percent. Therefore, the amount of the national marketing quota for dark air-cured tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning October 1, 1949, is 33,200,000 pounds.

§ 726.5 *Apportionment of the national marketing quota for dark air-cured tobacco for the 1949–50 marketing year among the several States.* The national marketing quota proclaimed in § 726.4 is hereby apportioned among the several States pursuant to section 313 (a) of the Agricultural Adjustment Act of 1938, as amended, and converted to State acreage allotments in accordance with section 313 (g) of the act as follows:

State:	Acreage allotment
Kentucky	25,790
Tennessee	3,875
Indiana	244
Missouri	7
Reserve [1]	160
Total	30,066

[1] Acreage reserved for establishing allotments for farms upon which no dark air-cured tobacco has been grown during the past five years.

[1] Rounded to the nearest one-tenth of a million pounds.

Done at Washington, D. C., this 9th day of November 1948.

Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN, *Secretary of Agriculture.*

[F. R. Doc. 48-9974; Filed, Nov. 15, 1948; 9:01 a. m.]

Chapter XXI—Organization, Functions, and Procedure

PART 2100—OFFICE OF THE SECRETARY

REDESIGNATION OF CERTAIN SECTIONS

CROSS REFERENCE: For redesignation of certain sections in Part 2100, see Part 1, *supra.*

PART 2501—COOPERATIVE EXTENSION SERVICE

DISCONTINUANCE OF CODIFICATION

The codification of Part 2501 is hereby discontinued. Future amendments to descriptions of organization and functions will appear in the Notices section of the FEDERAL REGISTER.

[SEAL] M. L. WILSON, *Director of Extension Work.*

[F. R. Doc. 48-9986; Filed, Nov. 15, 1948; 8:56 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

PROSPECTUS FOR SALES BY ISSUER TO STOCKHOLDER

On July 19, 1948, the Securities and Exchange Commission published a proposed rule which would permit the use of a special form of prospectus in offerings of securities by an issuer to its existing stockholders. The Commission has now duly considered all comments and suggestions received in connection with the proposed rule and has determined that the rule should be adopted. The Commission finds that the rule is appropriate in the public interest and for the protection of investors and is necessary to carry out the provisions of the act. The rule is adopted pursuant to the provisions of the Securities Act of 1933, particularly sections 10 and 19 (a) thereof.

The new rule provides that, in sales of securities by an issuer to its existing stockholders, a prospectus may consist of copy of the proposed prospectus meeting the requirements of § 230.131 (Rule 131) and a document containing such additional information that both together contain all the information required to be included in a prospectus for registered securities: *Provided,* That the document incorporates the proposed form of prospectus by reference, that both are sent to the stockholders of the issuer, and that the document is sent or given within 20 days after the copy of the proposed form of prospectus was sent or given. The rule is not applicable to sales by an underwriter or dealer.

Under § 230.131 sending or giving to any person, before a registration statement becomes effective, a copy of the proposed form of prospectus filed as a part of such registration statement would not in itself constitute an offer to sell if the proposed form of prospectus contains substantially the information required to be included in a prospectus for registered securities, or substantially that information except for the omission of information with respect to the offering price, underwriting discounts or commission, discounts or commissions to dealers, amount of proceeds, commission rates, call prices, or other matters dependent upon the offering price. This section also requires that the copy contain a prescribed legend and that the registration statement should not be the subject of a proceeding or an order under section 8 (b), 8 (d) or 8 (e) of the act.

The text of the new section (Rule 431) is as follows:

§ 230.431 *Prospectus for sales by issuer to stockholders.* In sales of securities by an issuer to its existing stockholders, a prospectus may consist of a copy of the proposed form of prospectus meeting the requirements of § 230.131 and a document containing such additional information that both together contain all the information required to be included in a prospectus for registered securities: *Provided,* That, (a) the proposed form of prospectus is incorporated by reference into and made a part of the document, (b) a copy of the proposed form of prospectus was sent or given, in compliance with § 230.131, by the issuer to the stockholder to whom the document is subsequently sent or given, and (c) the document is sent or given by the issuer to the stockholder within twenty days after the date on which such stockholder was sent or given a copy of the proposed form of prospectus. However, this section shall not apply to sales by an underwriter or dealer.

The foregoing section shall become effective December 10, 1948.

(Secs. 10 and 19 (a), 48 Stat. 81, 85, 15 U. S. C. 77j, 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

NOVEMBER 4, 1948.

[F. R. Doc. 48-9967; Filed, Nov. 15, 1948; 9:00 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 345—EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 48-8259, appearing at page 5329 of the issue for Tuesday, September 14, 1948, the following changes are made in § 345.1:

1. The word "section," appearing in the 8th line on page 5330 and in the 62d line on page 5331, should read "subsection."

2. The word "act" should be capitalized wherever it appears.

TITLE 47—TELECOMMUNICATION.

Chapter I—Federal Communications Commission

PART 8—SHIP RADIO SERVICE

PART 13—COMMERCIAL RADIO OPERATORS

SHIP SERVICE AND COMMERCIAL RADIO OPERATORS

In the matter of amendment of Parts 8 and 13 of the Commission's rules and regulations, Ship Service, and Commercial Radio Operators, respectively.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 10th day of November 1948;

The Commission having under consideration its previous actions of December 15, 1947, March 15, 1948 and June 15, 1948 whereby, under the provisions of section 318 of the Communications Act of 1934, as amended, the requirement of licensed radio operators for ship radar stations licensed in the Ship Service was waived, subject to certain provisions for a continuous over-all period from December 15, 1947, to November 15, 1948, and whereby temporary rules in line with and of the same duration as the aforesaid temporary waiver were promulgated; and having before it a proposal to extend the duration of the aforesaid waiver and temporary rules to April 15, 1949, or the effective date of permanent rules governing operator license requirements for such stations, whichever date is earlier;

It appearing, that on April 5, 1948, the Commission released a notice of proposed rule making setting forth certain proposed permanent rules to govern operator license requirements for ship radar stations licensed in the Ship Service and that on October 22, 1948 the Commission released a further notice of proposed rule making in this matter which also designated the matter for general public hearing and oral argument to be held on November 22, 1948; and

It further appearing, that pending the final adoption of permanent rules governing operator license requirements as aforesaid, it is necessary to continue beyond November 15, 1948 the temporary rules governing operator license requirements for ship radar stations licensed in the Ship Service; and

It further appearing, that because of the temporary nature of the proposed extension, and because of the opportunity which heretofore has been afforded and will be afforded to all interested persons to submit comments on the subject of operator requirements for ship radar stations licensed in the Ship Service, as well as the opportunity which will be afforded to all such persons to participate in the above-mentioned general public

hearing and oral argument, and because the need for the continuance of the temporary rules is urgent, the public notice and procedure provided for in section 4 of the Administrative Procedure Act are found to be impracticable and unnecessary herein, and for the same reasons, and because the extension of the temporary rules in question will continue to relieve a restriction such extension should be made effective immediately; and

It further appearing, that, unless the waiver hereinabove referred to of the requirements of section 318 of the act is extended, the provisions of that section will, after November 15, 1948, require ship radar stations licensed in the Ship Service to be operated by licensed radio operators; and

It further appearing, that under the provisions of section 318 aforesaid, the Commission may waive the requirement of licensed radio operators for ship radar stations licensed in the Ship Service if the Commission first shall find that such a waiver will serve the public interest, convenience, or necessity; and

It further appearing, that under Commission Order 133, dated May 10, 1946, the Commission waived to a limited extent the licensed radio operator requirements of section 318 aforesaid with regard to shipboard radar stations licensed in the Experimental Service; and

It further appearing, that during the interim period preceding the final adoption and effectiveness of permanent rules governing operator license requirements for ship radar stations licensed in the Ship Service, radar stations so licensed can be as well operated by unlicensed personnel as can radar stations licensed in the Experimental Service; and

It further appearing, that under the foregoing circumstances it will serve the public interest and convenience temporarily to waive, to the same extent as now provided in the Experimental Service by Order 133, the licensed radio operator requirements with regard to ship radar stations licensed in the Ship Service; and

It further appearing, that authority to accomplish the aforesaid objective is contained in sections 303 (f) (g), (l) and 318 of the Communications Act of 1934, as amended;

It is ordered, That, effective November 15, 1948 the provisions of section 318, aforementioned, are hereby waived insofar as such provisions require any person to hold a radio operator license issued by this Commission in order to operate ship radar stations licensed by this Commission in the Ship Service, *Provided,* That this waiver shall extend only to the normal operation of such radar stations on board ship and shall not be construed to permit unlicensed personnel to make any adjustments or to do any servicing or maintenance that may affect the proper operation of the station: *Provided further* That this waiver shall not be construed to affect in any way the responsibility of the station licensee for the proper operation of the station: *And provided further* That the waiver herein ordered may, in the discretion of the Commission and without advance notice or hearing, be changed or cancelled by order of the Commission, and shall in no event extend beyond the effective date of permanent rules adopted by the Commission governing operator license requirements for ship radar stations licensed in the Ship Service, or beyond April 15, 1949, whichever is earlier;

It is further ordered, That effective November 15, 1948, Parts 8 and 13 of the Commission's rules governing ship service and commercial radio operators respectively, are amended as follows:

1. Footnote 71 to § 8.195 is amended as follows:

a. By deleting in the first sentence the phrase "March 15, 1948, and June 15, 1948" and substituting therefor, the phrase "March 15, 1948, June 15, 1948, and November 15, 1948."

b. By deleting in the last sentence thereof the phrase "November 15, 1948" and substituting therefor the phrase "April 15, 1948."

2. The fourth footnote appended to § 13.1 which footnote commences "By order dated and effective December 15, 1947 * * *" is amended as follows:

By deleting the phrase "March 15, 1948 and June 15, 1948" and substituting therefor the phrase "March 15, 1948, June 15, 1948 and November 15, 1948."

(Sec. 303 (f) (g) (l) 318, 48 Stat. 1082, 1089, 47 U. S. C., 303 (f) (g) (l) 318)

Released: November 10, 1948.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-10004; Filed, Nov. 15, 1948; 10:36 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service; Department of the Interior

Subchapter C—National Wildlife Refuges; Individual Regulations

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

HUNTING IN ARROWWOOD NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service and of Conservation Agents of the North Dakota Game and Fish Department, it has been determined there is a general surplus of deer in much of North Dakota and that the reduction of the population can be facilitated by opening certain National Wildlife Refuges in the State to the public hunting of deer.

Section 29.28a is revised to read:

§ 29.28a *Arrowwood National Wildlife Refuge, North Dakota; hunting.* Deer, coyote, and fox may be taken with firearms and with bow and arrow during the 1948 State open season on certain lands, hereinafter specified, of the United States within the Arrowwood National Wildlife Refuge, North Dakota.

(a) *Area open to hunting.* All the lands of the United States except the areas within one-half mile of the occupied residences on the Arrowwood Refuge shall be open to such hunting.

(b) *Entry.* Entry on and use of the Refuge are governed by Part 12 of this chapter and strict compliance therewith is required. Hunters must follow such routes of travel within the Refuge as are designated by posting.

(c) *State laws.* Strict compliance with all State laws and regulations is required, and any person who hunts on the Refuge must have in his possession and exhibit at the request of any authorized Federal or State officer a valid State hunting license and permit for the taking of deer if such is required by the State laws and regulations. The license and permit will serve as a Federal permit for entry on the Refuge for the purpose of hunting deer. (Sec. 10, 45 Stat. 1222, 16 U. S. C. 715i; Reorg. Plan No. II of 1939, 3 CFR Cum. Supp., 4 F. R. 2731, Regs., Fish and Wildlife Service, Dec. 19, 1940, 5 F R. 5284, as amended April 14, 1945, 10 F R. 4267)

Dated: November 9, 1948.

M. C. JAMES,
Acting Director

[F. R. Doc. 48-9969; Filed, Nov. 15, 1948; 8:59 a. m.]

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

HUNTING IN DES LACS NATIONAL WILDLIFE REFUGE, NORTH DAKOTA

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service and of Conservation Agents of the North Dakota Game and Fish Department, it has been determined there is a general surplus of deer in much of North Dakota and that the reduction of the population can be facilitated by opening certain National Wildlife Refuges in the State to the public hunting of deer.

The following is added:

§ 29.227a *Des Lacs National Wildlife Refuge, North Dakota; hunting.* Deer, coyote, and fox may be taken during the State open season prescribed by the Game and Fish Department of the State of North Dakota for the hunting of deer during the calendar year 1948 on certain lands, hereinafter specified, of the United States within the Des Lacs National Wildlife Refuge, North Dakota.

(a) *Area open to hunting.* All the lands of the United States except the areas within one-half mile of the occupied residences on the Des Lacs Refuge shall be open to such hunting.

(b) *Entry.* Entry on and use of the Refuge are governed by Part 12 of this chapter and strict compliance therewith is required. Hunters must follow such routes of travel within the Refuge as are designated by posting.

(c) *State laws.* Strict compliance with all State laws and regulations is required, and any person who hunts on the Refuge must have in his possession and exhibit at the request of any authorized Federal or State officer a valid State

hunting license and permit for the taking of deer if such is required by the State laws and regulations. The license and permit will serve as a Federal permit for entry on the Refuge for the purpose of hunting deer.

(Sec. 10, 45 Stat. 1222; 16 U. S. C. 715i; Reorg. Plan No. II of 1939, 3 CFR, Cum. Supp., 4 F. R. 2731; Regs., Fish and Wildlife Service Dec. 19, 1940, 5 F R. 5284, as amended April 14, 1945, 10 F. R. 4267)

Dated: November 9, 1948.

M. C. JAMES,
Acting Director.

[F. R. Doc. 48-9963; Filed, Nov. 15, 1948; 9:00 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 936]

PLUMS IN CALIFORNIA

NOTICE OF PROPOSED RULE MAKING

Consideration is being given to the following proposal, which was submitted by the Control Committee and the Plum Commodity Committee, established under the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Cum. Supp., 936.1 et seq.) regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, as the agencies to administer the terms and provisions thereof with respect to plums: "Commencing with the marketing season beginning April 1, 1949, the determination of May 6, 1947 (12 F. R. 3059) shall not be applicable to shipments of plums into, in, or through the San Francisco-Sacramento region and the Los Angeles region."

All persons who desire to submit data, views, or arguments with respect to such proposal shall file the same with the Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Room 2077, South Building, Washington 25, D. C., not later than the close of business on the fifteenth day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

As used herein, "plums" and "marketing season" shall have the same meaning as is given to each such term in the amended marketing agreement and order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp. 936.1 et seq.)

Issued this 8th day of November 1948.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9972; Filed, Nov. 15, 1948; 9:02 a. m.]

[7 CFR, Part 966]

ORANGES GROWN IN CALIFORNIA AND ARIZONA

GENERAL NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVAL OF REPORT OF EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1948–1949 FISCAL YEAR

Consideration is being given to the following proposals submitted by the Orange Administrative Committee, established under Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or the State of Arizona, as the agency to administer the terms and provisions thereof: (1) That the Secretary of Agriculture find that expenses not to exceed $199,857.97 will be necessarily incurred during the fiscal year November 1, 1948 to October 31, 1949, for the maintenance and functioning of the committee under the aforesaid order, and (2) that the Secretary of Agriculture fix, as the share of such expenses which each handler who first handles oranges shall pay in accordance with the aforesaid order during the aforesaid fiscal year, the rate of assessment at $0.007 per packed box of oranges, or an equivalent quantity of oranges, handled by him as the first handler thereof during said fiscal year.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C. not later than the close of business on the 10th day after the publication of this notice in the FEDERAL REGISTER. All documents should be filed in quadruplicate.

As used herein, the terms "box," "handles," "handled," "handler," "fiscal year," and "oranges" shall have the same meaning as is given to each such term in said order.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 7 CFR, Cum. Supp., 966.1 et seq., 13 F. R. 6235)

Issued this 9th day of November 1948.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 48-9971; Filed, Nov. 15, 1948; 9:02 a. m.]

NOTICES

NATIONAL MILITARY ESTABLISHMENT

Secretary of Defense

[Transfer Order 27]

ORDER TRANSFERRING CERTAIN NONAPPROPRIATED FUNDS FROM DEPARTMENT OF THE ARMY TO THE DEPARTMENT OF THE AIR FORCE

Pursuant to the authority vested in me by the National Security Act of 1947 (act of July 1947; Public Law 253, 80th Congress) and in order to effect certain transfers authorized or directed therein, it is hereby ordered as follows:

1. It having been mutually determined by the Secretary of the Army and the Secretary of the Air Force that the share of the nonappropriated Fund known and accounted for as the "Civilian Welfare Fund—Department of the Army" which is available for use by or on behalf of the Air Force is 30.13 percent of the adjusted net worth of that Fund as of September 30, 1947, that Fund is to that extent transferred to the Department of the Air Force for the purposes for which those funds were originally made available in the War Department.

2. If at a later time there is any allowance of a claim or credit which existed on September 30, 1947 which would have the effect in law of establishing any different net worth than that determined on September 30, 1947 that difference will be adjusted as a correction according to the same percentage as stated in paragraph 1 above.

3. The funds transferred to the Department of the Air Force and the corresponding funds retained by the Department of the Army will be administered under joint policies to be established by the Secretary of the Army and the Secretary of the Air Force. The Secretary of the Army and the Secretary of the Air Force are authorized to appoint a joint board to assist them in the administration of the funds.

4. The Secretary of the Army, the Secretary of the Air Force or their authorized representatives are hereby authorized to issue such orders as may be necessary to effectuate the purposes of this order. In this respect, the transfer of such related personnel, property, and records, as the Secretaries of the Army and the Air Force shall from time to time

jointly determine to be necessary, is authorized.

5. It is expressly determined that the transfers herein specified are necessary and desirable for the operation of the Department of the Air Force and the United States Air Force.

6. This order shall be effective as of 12:00 noon on November 1, 1948.

JAMES FORRESTAL,
Secretary of Defense.

NOVEMBER 1, 1948.

[F. R. Doc. 48-9863; Filed, Nov. 15, 1948; 9:01 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

FIRE-CURED AND DARK AIR-CURED TOBACCO MARKETING QUOTA REFERENDUM

The Secretary of Agriculture has duly proclaimed, pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended, a national marketing quota for fire-cured tobacco and a national marketing quota for dark air-cured tobacco for the marketing year beginning October 1, 1949. A referendum of farmers who were engaged in the production of the 1948 crop of fire-cured tobacco and a referendum of farmers who were engaged in the production of the 1948 crop of dark air-cured tobacco will be held pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended, and applicable regulations, to determine whether such farmers are in favor of or opposed to such quotas and to determine whether such farmers are in favor of or opposed to fire-cured and dark air-cured tobacco marketing quotas for the three-year period beginning October 1, 1949.

Registration. The operator on each farm on which fire-cured or dark air-cured tobacco was produced in 1948 should inform a county or community committeeman of the names and addresses of all persons sharing in the proceeds of such crop in order that their names may be listed on the register of eligible voters. The eligibility to vote of any person may be challenged if his name is not recorded on the registration list.

Eligibility to vote. 1. All persons engaged in the production of the 1948 crop of fire-cured tobacco are eligible to vote in the fire-cured tobacco marketing quota referendum and farmers who were engaged in the production of the 1948 crop of dark air-cured tobacco are eligible to vote in the dark air-cured tobacco marketing quota referendum. Any person who shares in the proceeds of the 1948 crop of fire-cured or dark air-cured tobacco as owner (other than a landlord of a standing-rent or fixed-rent tenant) tenant, or share cropper, is considered as engaged in the production of such crop of tobacco in 1948.

2. If several members of the same family participate in the production of the 1948 crop of fire-cured or dark air-cured tobacco on a farm, the only member or members of such family who shall be eligible to vote shall be the member or members of the family who have an independent bona fide status as operator, share tenant, or share cropper, and are entitled as such to share in the proceeds of the 1948 crop.

3. No person shall be eligible to vote in any community other than the community in which he resides except as follows:

(a) Any person who resides in a community in which there is no polling place shall be eligible to vote at the polling place designated for the community nearest to the community in which he was engaged in the production of fire-cured or dark air-cured tobacco in 1948.

(b) Any person who does not reside in or who will not be present in the county in which he engaged in the production of fire-cured or dark air-cured tobacco in 1948 may obtain a ballot at the most conveniently located polling place and may cast his ballot by signing his name thereto and mailing it to the office of the county committee in which he engaged in the production of tobacco in 1948 not later than the date of the referendum.

4. There shall be no voting by mail (except as provided in paragraph 3 above) by proxy, or by agent, but a duly authorized officer of a corporation, association, or other legal entity, or a duly authorized member of a partnership, may cast its vote.

5. Persons who planted tobacco in the field in 1948 but did not harvest any tobacco on such acreage for any reason except neglect to farm the planted acreage shall be regarded as engaged in the production of tobacco in 1948 and therefore eligible to vote in the referendum. Any farmer who did not plant tobacco in the field shall not be eligible to vote.

6. No person (whether an individual, partnership, corporation, association or other legal entity) shall be entitled to more than one vote in the referendum even though he may have been engaged in the production of tobacco on several farms in the same or in two or more communities, counties, or States in 1948.

7. In the event two or more persons were engaged in producing tobacco in 1948 not as members of a partnership but as tenants in common or joint tenants or as owners of community property, each such person shall be eligible to vote.

PLACE FOR BALLOTING

The place for voting in the referendum in the _____ community will be_____

TIME

The polls, in accordance with the official instructions for holding the referendum, shall be OPENED promptly at _____ o'clock a. m. and CLOSED promptly at _____ o'clock p. m. on Saturday, November 27, 1948.

_____
_____
_____
(County Agricultural Conservation Committee)

Issued _____, 1948.

Done at Washington, D. C. this 9th day of November 1948. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 48-9982; Filed, Nov. 15, 1948; 8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6177]

NEW ENGLAND POWER CO. AND EASTERN MASSACHUSETTS ELECTRIC CO.

NOTICE OF APPLICATION

NOVEMBER 9, 1948.

Notice is hereby given that on November 8, 1948, a joint application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by New England Power Company (New England) and Eastern Massachusetts Electric Company (Eastern), corporations organized under the laws of the State of Massachusetts, with their principal business offices at Boston, Massachusetts, seeking an order authorizing the merger of Eastern into and with New England. New England proposes to issue 83,242 additional shares of its Common Stock of an aggregate par value of $1,664,840 in exchange for the outstanding shares of Eastern. All of the operating facilities of Eastern are to be included in the proposed merger; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 26th day of November, 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-9975; Filed, Nov. 15, 1948; 9:02 a. m.]

[Docket No. G-1147]

PANHANDLE EASTERN PIPE LINE CO.

ORDER SUPPLEMENTING ORDER OF OCTOBER 26, 1948, FIXING DATE OF HEARING, REQUIRING PARTIES TO SHOW CAUSE, AND REQUIRING MAINTENANCE OF STATUS QUO PENDING COMMISSION DETERMINATION

NOVEMBER 10, 1948.

It appears to the Commission from the investigation thus far conducted in the above-entitled proceeding and from the record in its Docket Nos. G-706 and G-876 which is incorporated herein by reference, that:

(a) Panhandle Eastern Pipe Line Company (Panhandle) owns and operates, and at all times herein mentioned, owned and operated, an integrated natural-gas pipe-line system originating in the Hugoton natural-gas field of Kansas, Oklahoma and Texas and the Panhandle natural-gas field of Texas, and extending across the States of Oklahoma, Kansas, Missouri, Illinois, Indiana and Ohio and into the State of Michigan.

(b) At all times herein mentioned prior to October 1948, Panhandle owned certain oil and gas leases and gas leases on 96,164.21 acres of land located in Grant and Stevens Counties, Kansas, in the Hugoton natural-gas field, having estimated gas reserves of 700 billion cubic feet or in excess thereof.

(c) On September 23, 1942, the Commission issued its opinion and order in rate proceedings, Docket Nos. G-200 and G-207, establishing, among other things, Panhandle's proper rate base and proper operating revenue deductions for the purposes of such rate proceedings (3 F. P. C. 273, et seq.) Most of the leases described in paragraph (b) hereof were represented by Panhandle in the said rate proceedings to be used and useful in the operation of Panhandle's then existing natural-gas pipe-line facilities in the public service. Based upon said representations and the apparent dedication by Panhandle of such reserves to the service of the public to be supplied from such pipe-line system, the Commission permitted said leases to be included in Panhandle's rate base, and permitted the delay rentals, renewal bonus payments and all other exploration and development costs relating to said leases to be included in Panhandle's operating revenue deductions.

(d) On March 21, 1946, In the Matter of Panhandle Eastern Pipe Line Company, Docket No. G-706, Panhandle filed an application with the Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize it to construct and operate certain facilities referred to as its "Group A" facilities and "Group B" facilities.

(e) On March 5, 1947, In the Matter of Panhandle Eastern Pipe Line Company, Docket No. G-876, Panhandle filed an application with the Commission for a certificate of public convenience and necessity pursuant to said section 7, as amended, to authorize it to construct and operate certain facilities referred to as its "Group C" facilities.

(f) All of such proposed facilities consisted of compressor units, pipe lines, loop pipe lines and appurtenant facilities at points along the route of Panhandle's aforementioned integrated system, and were sought for the purpose of enlarging such system so as to enable Panhandle to deliver additional natural gas for distribution in communities then served by the system.

(g) In support of its application in Docket No. G-706 respecting the "Group A" and "Group B" facilities, Panhandle represented to the Commission that gas reserves held or controlled by it were adequate to justify the issuance of certificates of public convenience and necessity covering such facilities, and that it was able and willing properly to do the acts and to perform the service proposed. Panhandle represented and specified certain acreage in the Hugoton and Panhandle fields as containing such reserves, and included among such acreage the 96,164.21 acres referred to in paragraph (b) hereof, except for 25,065.88 acres, 73.9% of such 96,164.21 acres being thereby included as part of the acreage making up such reserves.

(h) Upon the strength of such representations, and the apparent dedication by Panhandle of such reserves to the service of the public to be supplied from such pipe-line system, the Commission, on June 4, 1946, entered an order whereby it found that Panhandle's gas supply was adequate to meet such deliveries as might result from the proposed operation of the "Group A" facilities, and that Panhandle was able and willing properly to do the acts and perform the service proposed, and whereby it issued a certificate of public convenience and necessity to Panhandle authorizing the construction and operation of said "Group A" facilities.

(i) Upon the further strength of such representations and apparent dedication, the Commission, on November 30, 1946, entered an order whereby it found that Panhandle's gas supply was adequate to meet the requirements of the service to be rendered by means of the proposed "Group B" facilities and that Panhandle was able and willing properly to do the acts and to perform the service proposed, and whereby it issued a certificate of public convenience and necessity to Panhandle authorizing the construction and operation of said "Group B" facilities.

(j) In support of its application in Docket No. G-876 respecting the "Group C" facilities, Panhandle represented to the Commission that gas reserves held or controlled by it were adequate to justify the issuance of the certificate sought, and that it was able and willing properly to do the acts and to perform the service proposed. Panhandle represented and specified certain acreage in the Hugoton and Panhandle fields as containing such reserves, and included among such acreage, all of the 96,164.21 acres referred to in paragraph (b) hereof except for 1,640 acres, 98.3% of such 96,164.21 acres being thereby included as part of the acreage making up such reserves.

(k) Upon the strength of such representations, and the apparent dedication by Panhandle of such reserves to the service of the public to be supplied from such pipe-line system, the Commission, on June 10, 1948, entered an order whereby it found that Panhandle's gas supply was adequate to meet the requirements of the service to be rendered by means of the proposed facilities and that Panhandle was able and willing properly to do the acts and to perform the service proposed, and whereby it issued a certificate of public convenience and necessity to Panhandle authorizing the construction and operation of the "Group C" facilities.

(l) By its representations as described in paragraph (c) hereof Panhandle may have pledged the aforementioned reserves to service of the public by means of its then existing pipe line facilities, and by its representations as described in paragraphs (g) (h) (i) (j) and (k) hereof, Panhandle may have pledged the aforementioned reserves to the aforesaid services and facilities proposed by it and authorized by the Commission, and thereby may have incurred an obligation under the Natural Gas Act to continue to devote them exclusively to said services until determination by the Commission that they are not needed for the services so certificated.

(m) On September 22, 1948, Panhandle organized Hugoton Production Company (Hugoton) a Delaware corporation, which has an authorized capital stock consisting of 1,500,000 shares of $1.00 par value.

(n) On or shortly before October 11, 1948, Panhandle and Hugoton entered, or attempted to enter, into a contract, whereby Hugoton agreed to issue 810,000 shares of its stock to Panhandle, and Panhandle agreed, in consideration thereof, to pay to Hugoton the sum of $675,000 in cash and to transfer, assign and convey to Hugoton the oil and gas leases and gas leases covering the 96,164.21 acres referred to in paragraph (b) hereof, together with certain oil leases covering 640 additional acres. It was further understood and agreed between Panhandle and Hugoton that Hugoton would promptly proceed to develop the acreage to be transferred to it and attempt to negotiate sales of gas therefrom to purchasers other than Panhandle; however, that beginning on January 1, 1965, Panhandle would have the option to purchase all gas produced from these leases at such price as Hugoton could then obtain from others. The parties contemplated that under expected rates of withdrawal of gas from the leases transferred to Hugoton during the period of 1965, Hugoton would produce and sell approximately 300 billion cubic feet of gas.

(o) On October 11, 1948, pursuant to such agreement or purported agreement, Hugoton issued the 810,000 shares of its stock to Panhandle; and the sum of $675,000 in cash was paid by Panhandle to Hugoton, and the aforementioned leases were transferred, assigned and conveyed, or attempted to be transferred, assigned and conveyed, by Panhandle to Hugoton.

(p) Such 810,000 shares of stock comprise all of the outstanding stock of Hugoton, and Hugoton is the wholly-owned subsidiary of Panhandle. All of the officers and directors of Hugoton are officers and directors of Panhandle. The sole office of Hugoton, other than its statutory office in the State of its incorporation, is the executive office of Panhandle in New York, New York. Hugoton has no executive officers or employees other than those employed by and paid by Panhandle. Its present assets consist only of the $675,000 cash and the aforementioned leases.

(q) On October 11, 1948, the Board of Directors of Panhadle declared a dividend in kind at the rate of one-half share of the capital stock of Hugoton for each of 1,620,000 outstanding shares of common stock of Panhandle. Panhandle proposes, on or before November 17, 1948, to pay this dividend to its common stockholders.

(r) The loss of the gas reserves represented by the leases on the 96,164.21 acres referred to in paragraph (b) hereof, may tend to decrease the service life of the aforementioned "Group A," "Group B" and "Group C" facilities.

(s) In the aforementioned orders of the Commission of June 4, 1946, November 30, 1946 and June 10, 1948, issuing certificates of convenience and necessity, the authorization thereby granted, in the instance of each of such orders, was upon the express condition that the certificate should be effective only so long as Panhandle continued the operations thereby authorized in accordance with the pro-

visions of the Natural Gas Act, as amended, and any pertinent rules, regulations or orders theretofore or thereafter issued by the Commission.

(t) By reason of the facts and circumstances hereinbefore set out, it may be that Panhandle could not lawfully transfer to Hugoton said natural gas leases without prior authorization by this Commission based on a finding that the public convenience and necessity permitted such transfer.

The Commission finds that:

Good cause exists for supplementing its order of October 26, 1948, in this proceeding as hereinafter provided, for holding a public hearing upon the matters and issues involved herein, for requiring Panhandle and Hugoton to show cause as hereinafter specified, and for maintaining the status quo pending the Commission's decision upon the question presented.

The Commission orders that:

(A) The order instituting investigation, dated October 26, 1948, In the Matter of Panhandle Eastern Pipe Line Company, Docket No. G-1147, be and the same is hereby supplemented by adding Hugoton Production Company as a party respondent thereto.

(B) A public hearing be held commencing on January 24, 1949, at 10:00 a. m. (e. s. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in these proceedings.

(C) At such hearing, Panhandle and Hugoton show cause, under oath, if any there be, why the Commission should not by order, find, determine and direct:

(i) That Panhandle and Hugoton cancel the contract, or purported contract, referred to in paragraph (n) hereof, and that Panhandle return to Hugoton the aforesaid 810,000 shares of capital stock of Hugoton, and cause Hugoton to return to Panhandle, and that Hugoton return to Panhandle, the leases on the 96,164.21 acres referred to in paragraph (b) hereof, together with the $675,000 in cash received by Hugoton as aforesaid from Panhandle.

(ii) That Panhandle be prohibited from again transferring, assigning or conveying such leases without the consent of the Commission being first had and obtained.

(iii) That Panhandle refrain from paying to its stockholders, as a dividend or otherwise, such 810,000 shares of the capital stock of Hugoton, and refrain from transferring the title to such shares of stock to such stockholders or to any person other than Hugoton.

(D) Pending final determination by the Commission of the questions presented at the hearing, Panhandle refrain from the acts described in paragraph (C) (iii) hereof, and cause Hugoton to refrain from transferring, assigning or conveying the leases, described in paragraph (b) hereof, or any of them, to any person, and from issuing or transferring any of its capital stock to any person.

(E) Pending final determination by the Commission of the question presented at the hearing, Hugoton refrain from transferring, assigning or conveying the leases, described in paragraph (b) hereof, or any of them, to any person, and from issuing or transferring any of its capital stock to any person.

(F) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: November 10, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 48-10003; Filed, Nov. 15, 1948; 10:36 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1983]

ROCHESTER GAS AND ELECTRIC CORP. AND GENERAL PUBLIC UTILITIES CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of November 1948.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and its subsidiary, Rochester Gas and Electric Corporation ("Rochester"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") Applicants-declarants have designated sections 6 (b) and 12 (b) of the act and Rule U-45 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said joint application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

On April 2, 1948, the Commission, subject to certain conditions, granted an application of Rochester which permitted it to issue and sell, and renew for a period of two years from the date of that order, promissory notes each of which was to have a maturity of nine months or less, in an aggregate principal amount which might not exceed $16,000,000. On the same date the Commission permitted a declaration of GPU to become effective so as to permit it to make, from time to time up to January 31, 1951, cash capital contributions to Rochester, the amount of such contributions to be not in excess of (a) $300,000 plus (b) an amount not in excess of the aggregate amount of dividends on Rochester's common stock theretofore declared and paid by Rochester to GPU from and after June 30, 1947. On April 19, 1948, Rochester obtained the authorization of its preferred shareholders to permit it to issue or renew unsecured notes, debentures, or other securities representing unsecured indebtedness which may not mature later than December 31, 1953, in an aggregate principal amount outstanding at ony one time not more than $12,500,000 in addition to the amount which the company might issue under its articles of incorporation without the prior consent of the holders of its outstanding preferred stock, which amount is defined as being ten per centum of the aggregate of the principal amount of its outstanding secured debt and its capital and surplus as stated on the books.

Rochester now requests authorization from this Commission, pursuant to the first sentence of section 6 (b) of the act, to permit it to issue and sell, from time to time, its unsecured notes, each of which will bear interest in an amount not to exceed 3% per annum, will mature not more than nine months after the date of issue thereof, and which (together with all other then outstanding unsecured notes of a maturity of nine months or less) will aggregate in principal amount outstanding at any one time not more than $12,500,000 in addition to the amount of unsecured notes, debentures, or other securities representing unsecured indebtedness which it might issue under its articles of incorporation without the prior consent of the holders of its outstanding preferred stock, and that such exemption with respect to the issuance or renewal of such notes be for a period of two years from the date upon which such authorizations may be granted. As at September 30, 1948, the amount of unsecured notes, debentures, or other securities representing unsecured indebetedness which Rochester might issue under its articles of incorporation without the prior consent of its preferred shareholders was $7,769,978. The proceeds from the issuance of such notes are to be used for new construction or to liquidate notes, the proceeds of which were used for new construction.

GPU as the holder of all the common stock of Rochester requests authority to make, from time to time during the period July 29, 1947 to August 29, 1951, cash capital contributions to Rochester, the amount of such contributions to be not in excess of the sum of (a) $300,000, plus (b) an amount equal to the aggregate amount of dividends on Rochester's common stock theretofore declared and paid by Rochester to GPU from and after June 30, 1947.

Applicants-declarants state that the transactions are not subject to the jurisdiction of any Commission other than this Commission.

Notice is further given that any interested person may, not later than November 18, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration, as amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after November 18, 1948, said joint application-declaration, as filed or as further amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as

provided in Rules U-20 (a) and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-9962; Filed, Nov. 15, 1948; 9:01 a. m.]

[File No. 70-1963]

NORTH AMERICAN LIGHT AND POWER CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 4th day of November 1948.

In the matter of North American Light & Power Company, the Kansas Power and Light Company, and Missouri Power & Light Company.

North American Light & Power Company ("Light & Power") a registered holding company and a subsidiary of the North American Company, also a registered holding company, and the Kansas Power and Light Company ("Kansas") and Missouri Power & Light Company ("Missouri") public utility subsidiaries of Light & Power, having filed a joint application and declaration pursuant to the provisions of sections 6, 7, 9 (a), 10 and 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and the rules and regulations promulgated thereunder regarding the following transactions:

(1) Kansas will amend its Articles of Incorporation so as to reduce the par value of its common stock from $10 per share to $5 per share, and to change the total authorized amount of its common stock from 2,000,000 shares of a par value of $10 per share to 4,000,000 shares of a par value of $5 per share.

(2) Kansas will issue 3,100,000 shares of new common stock in exchange for 1,550,000 shares of common stock presently outstanding.

(3) Light & Power will acquire the 3,100,000 shares of new common stock of Kansas in exchange for the 1,550,000 shares of common stock which it holds.

(4) Missouri will amend its Articles of Incorporation so as to reduce the par value of its common stock from $20 per share to $5 per share, and to change the total authorized amount of its common stock from 375,000 shares of a par value of $20 per share to 1,500,000 shares of a par value of $5 per share.

(5) Missouri will issue 1,060,000 shares of new common stock in exchange for 265,000 shares of common stock presently outstanding.

(6) Light & Power will acquire the 1,060,000 shares of new common stock to be issued by Missouri in exchange for 265,000 shares of common stock which it holds.

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is ordered, Pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, that the aforesaid applicant-declaration, be, and hereby is, granted, and permitted to become effective, forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-9963; Filed, Nov. 15, 1948; 9:01 a. m.]

[File No. 70-1965]

KITTERY ELECTRIC LIGHT CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of November 1948.

Kittery Electric Light Company ("Kittery"), a subsidiary of New England Gas and Electric Association, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of the act of the issue and sale to the Maine Savings Bank of Portland, Maine, of $50,000 principal amount of unsecured 3½% serial notes maturing September 1, 1973, the proceeds therefrom to be used to pay existing notes maturing February 21, 1949 in the principal amount of $10,500 and to provide cash for construction and other corporate purposes; and the issue and sale of such notes having been expressly authorized by the Public Utilities Commission of the State of Maine by order dated September 10, 1948; and

Said application having been duly filed, and notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that the applicable requirements of the act are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application be granted;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the application be, and the same hereby is, granted forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-9964; Filed, Nov. 15, 1948; 9:00 a. m.]

[File Nos. 59-10 and 54-82, 59-39 and 54-50, 70-1833]

NORTH AMERICAN CO. ET AL.

ORDER GRANTING MOTION, DISMISSING APPLICATION-DECLARATION, DENYING PETITION AND PERMITTING WITHDRAWAL OF PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 4th day of November A. D. 1948.

In the matter of the North American Company et al., File Nos. 59-10 and 54-82; North American Light & Power Company et al., File Nos. 59-39 and 54-50; the North American Company, Union Electric Company of Missouri, File No. 70-1833.

The North American Company ("North American") a registered holding company, and its subsidiary, Union Electric Company of Missouri ("Union") having filed an application-declaration covering the proposed transfer as a capital contribution by North American of its holdings of all of the oustanding capital stock of West Kentucky Coal Company to Union and said application-declaration having been treated as constituting a request that the Commission modify its outstanding order dated April 14, 1942, which directed North American to sever its relationship with West Kentucky Coal Company; and

The Trustees of Central States Electric Corporation et al., stockholders of North American, having filed a motion for the dismissal of the said application-declaration; and

The said Trustees also having filed a petition seeking to restrain the contemplated acquisition by North American of certain securities to be received by it in connection with the pending liquidation of North American's subsidiary registered holding company, North American Light & Power Company; and

North American having filed on May 12, 1948, a notification of withdrawal of its Plan III previously filed as a part of its over-all program for compliance with said order dated April 14, 1942; and

Oral argument having been held on the said motion and petition, and North American and Union having filed, pursuant to the direction of the Commission, an offer of proof summarizing the evidence which they proposed to present in support of their contention that there has been a material change of circumstances sufficient to warrant modification of the Commission's order of April 14, 1942;

The Commission having considered the said offer of proof and having this day issued its findings and opinion, on the basis of the said findings and opinion

It is ordered, That the said motion of the Trustees of Central States Electric Corporation be and it hereby is granted, and that the said application-declaration be and it is hereby dismissed;

It is further ordered, That the said petition of the Trustees of Central States Electric Corporation be and it hereby is, in all respects, denied.

It appearing appropriate that permission be given to North American to withdraw Plan III pursuant to the aforesaid notice of withdrawal;

It is further ordered, That the said Plan III be and hereby is permitted to be withdrawn.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-9965; Filed, Nov. 15, 1948; 9:00 a. m.]

[File No. 70-1973]

ENGINEERS PUBLIC SERVICE CO. (INC.)

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 9th day of November A. D. 1948.

Engineers Public Service Company (Incorporated) a registered holding company now in process of liquidation pursuant to a plan approved under section 11 (e) of the Public Utility Holding Company act of 1935, having filed an application pursuant to sections 9 (a) (1) and 10 of said act with respect to the following transaction:

Applicant owns 162,612 shares (approximately 5.5%) of the common stock of Virginia Electric and Power Company. The latter company has proposed to issue to the holders of record of its common stock on November 12, 1948 rights to subscribe to additional common stock on the basis of one additional share for each four shares then held, at a price to be determined on or about said date. Such rights must be exercised on or before 3:30 p. m. on December 1, 1948.

The instant application relates to the acquisition by applicant of its ratable share of such rights on or about November 15, 1948. Thereafter, applicant proposes to sell said rights during the subscription period through or to various members of the New York Stock Exchange at the best market prices obtainable.

The only expense other than regular brokerage commissions will be legal fees, estimated at $500.

Such application having been duly filed, and notice of its filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect thereto within the period specified in said notice or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that there is no State Commission having jurisdiction over the proposed transaction; that the sale of said rights is exempt from section 12 (d) of the act by virtue of Rule U-44 (b) and that it is appropriate in the public interest and in the interests of investors and consumers to grant applicant's request to consummate without delay the proposed transaction:

It is therefore ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the application be and the same is hereby granted, and that the proposed transaction may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-9966; Filed, Nov. 15, 1948; 9:00 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12239]

PHILIP HENNE

In re: Trust under will of Philip Henne, deceased. File D-28-4017-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Auguste Egner and Sophie Egner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the trust created under Paragraph Eighth of the Codicil dated 31st day of August 1935, to the Will dated 10th day of February 1933, of Philip Henne, deceased, presently administered by Anna L. Henne, Belmont Hotel, Chicago, Illinois, and Otto K. Eitel, Bismarck Hotel, Chicago, Illinois, Trustees

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 27, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-9978; Filed, Nov. 15, 1948; 8:59 a. m.]

[Vesting Order 12242]

YUKI MORGAN ET AL.

In re: Trust under agreement between Yuki Morgan, settlor and United States Trust Company of New York and William R. Bayes, Trustees, D-39-148; D-39-148-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yuki Morgan whose last known address is Japan is a resident of Japan and a national of a designated enemy country (Japan),

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof, in and to and arising out of or under that certain trust agreement dated June 10, 1918 by and between Yuki Morgan, settlor, and United States Trust Company of New York and William R. Bayes, trustees,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 27, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-9979; Filed, Nov. 15, 1948; 8:59 a. m.]

[Vesting Order 12243]

WERNER NEUMEISTER

In re: Estate of Werner Neumeister, deceased. File No. F-28-28054; E. T. sec. 15756.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Ilse Ohly, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Werner Neumeister, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by the Public Administrator of the County of New York, as Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 27, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-9380; Filed, Nov. 15, 1948; 8:59 a. m.]

[Vesting Order CE 460]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on November 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 County or Territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Theresa Grisbako	Hungary	Estate of Elizabeth Bower, a/k/a Lizzie Bauer, deceased; in the Surrogate's Court, County of New York, State of New York; Docket No. A-3911/1941.	$1,071.83	Treasurer of City of New York, Municipal Bldg. Chambers St., New York 7, N. Y.	$53.00
		Item 2			
Ikes Katolin	do	Same	1,357.00	Same	28.00
		Item 3			
Erwin Kamptner	Austria	Estate of Alma Marie Kamptner, deceased; Surrogate's Court, New York County, N. Y., File No. P2678/1946.	1,311.45	The German Society of New York, 147 Fourth Ave., New York, N. Y.	24.00
		Item 4			
Elsa Tatra	do	Same	2,295.01	Same	42.00

[F. R. Doc. 48-9356; Filed, Nov. 12, 1948; 8:51 a. m.]

[Vesting Order 12265]

JOSEPHINE REICHMAN

In re: Stock owned by Josephine Reichman. F-28-29170-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Josephine Reichman, whose last known address is Rottweil, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Six and one-half (6½) shares of $100 par value common capital stock of The First National Bank of Greenville, Greenville, Mississippi, evidenced by certificate numbered 232, registered in the name of Josephine Reichman, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as

a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 27, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-9981; Filed, Nov. 15, 1948; 8:59 a. m.]

[Vesting Order 11901, Amdt.]

SOPHIE BUNDT

In re: Interest in real property, property insurance policies and a claim owned by Sophie Bundt, also known as Sophie Bundtz.

Vesting Order 11901, dated August 30, 1948, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2-c of said Vesting Order 11901 the word Philadelphia and substituting therefor the word Pittsburgh.

All other provisions of said Vesting Order 11901 and all action taken by or on behalf of the Attorney General of the United States in reliance thereon pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 2, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F R. Doc. 48-9955; Filed, Nov. 12, 1948; 8:51 a. m.]

[Vesting Order 12248]

BANKGESCHAFT BERGER & CO.

In re: Securities owned by and debts owing to Bankgeschaft Berger & Co., also known as Bankgeschaft Berger Company. F-28-761-A-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bankgeschaft Berger & Co., also known as Bankgeschaft Berger Company, the last known address of which is Behrenstrasse 33, Berlin, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows: a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit A, and presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgesehaft Berger & Co. Customers Account for Custody, together with all declared and unpaid dividends thereon,

b. Those certain bonds described in Exhibit B, attached hereto and by reference made a part hereof, and presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

c. Seven (7) certificates of indebtedness of the Conversion Bank of German Foreign Debts, Series I, noninterest bearing, of the face values and numbered as follows:

Number:	*Face value (each)*
0456006/11	10RM
NR0223814	50RM

which certificates of indebtedness are presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

d. Five (5) fractional certificates of the Conversion Office for German Foreign Debts for 3% dollar bonds, Series B, of the face values and numbered as follows:

Number:	*Face value each*
274578/80	$20
B119560	10
B066002	5

which fractional certificates are presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

e. One (1) scrip certificate for Chicago, Rock Island & Pacific Railroad Company 4% First Mortgage Bonds, Series A, of $9.71 face value, bearing the number NSF4411, which scrip certificate is presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

f. One (1) scrip certificate for Chicago, Rock Island & Pacific Railroad Company General Mortgage 4½% Convertible Income Bonds, Series A, of $13.59 face value, bearing the number NSG4426, which scrip certificate is presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

g. One (1) scrip certificate for 48/100ths of one (1) share of $100.00 par value, Series A, 5% cumulative convertible preferred capital stock of Chicago, Rock Island & Pacific Railroad Company, 139 Van Buren Street, Chicago, Illinois, a corporation organized under the laws of the State of Delaware, bearing the number NSP5163, which scrip certificate is presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

h. One (1) scrip certificate for 24/100ths of one (1) share of no par value common capital stock of Chicago, Rock Island & Pacific Railroad Company, 139 Van Buren Street, Chicago, Illinois, a corporation organized under the laws of the State of Delaware, bearing the number 6548, which certificate is presently in the custody of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in an account entitled Bankgeschaft Berger & Co. Customers Account for Custody, together with any and all rights thereunder and thereto,

i. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of a custody cash account, entitled Bankgeschaft Berger & Co. Customers Account for Custody, Berlin, Germany, maintained at the aforesaid Guaranty Trust Company of New York, and any and all rights to demand, enforce and collect the same, and

j. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of a custody cash account General Ruling Number 6, entitled Bankgeschaft Berger & Co. Customers Account for Custody, Berlin, Germany, maintained at the aforesaid Guaranty Trust Company of New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Bankgeschaft Berger & Co., also known as Bankgeschaft Berger Company, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 27, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAXTON,
Deputy Director,
Office of Alien Property.

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Par value	Certificate No.	Number of shares	Registered owner
Guanajuato Reduction & Mines Co	[1]	Capital, class A		512	50	Schmidt & Co.
Nash Kelvinator Corp., 14250 Plymouth Rd., Detroit, Mich.	Michigan	Capital	$5	NY/O 17930	6	Do.
The Baltimore & Ohio Railroad Co., 2 Wall St., New York, N. Y.	Maryland and Virginia.	Common	100	A538365	50	Zink & Co.
		Common	100	A538363	2	Do.
		4% noncumulative preferred	100	B123237	1	Do.
The Denver & Rio Grande Western Railroad Co., Equitable Bldg., Denver, Colo.	Delaware	6% cumulative preferred	100	PF15122	6	Do.
Chicago, Rock Island & Pacific Railroad Co., 139 Van Buren St., Chicago, Ill.	do	5½% cumulative convertible preferred, series A common	100	TNPO 8032	10	
			(1)	10063	25	

[1] No par value.

EXHIBIT B

Description of issue	Certificate No.	Face value	Description of issue	Certificate No.	Face value
Village of Niles Center, County of Cook, Ill., Improvement 6% bond, series 8	9	$1,000	German Consolidated Municipal Loan of German Savings Banks and Clearing Association Sec. 7% sinking fund gold bond	4250	$1,000
Guanajuato Reduction & Mines Co., 1st mortgage 6% gold bonds	A1527	200	Hungarian Land Mortgage Institute, 7½% sinking fund land mortgage dollar bond, series B	BM1253	1,000
	A1523	200		BM1250	1,000
	A1522	200		BM1334	1,000
	A1852	200		TL2927	50
	A2123	200			
St. Louis-San Francisco Railway Co., prior lien mortage 4% gold bonds, series A	D6503	500	Chicago, Rock Island & Pacific Railroad Co., first mortgage 4% bonds, series A	8068	100
	Y7052	250		8069	100
	Y8522	250		8070	100
Canadian Pacific Railway Co., collateral trust 4½% gold bonds	M09537	1,000		8071	100
	M09538	1,000	Chicago, Rock Island & Pacific Railroad Co., 4½% general mortgage convertible income bonds, series A	2004	50
	07573	1,000		9331	100
Conversion Office of German foreign debts, 3% dollar bond	C057342	100		51534	1,000

[F. R. Doc. 48-9349; Filed, Nov. 12, 1948; 8:50 a. m.]